

Order

Entered: December 17, 2003

Michigan Supreme Court
Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

ADM File No. 1998-50

Amendment of Rule 3.951
of the Michigan Court Rules

On order of the Court, Rule 3.951 of the Michigan Court Rules is amended,
effective immediately. MCR 1.201(D).

[Additions are indicated by underlining and deletions are indicated by strikeover.]

Rule 3.951 Initiating Designated Proceedings

- (A) [Unchanged.]
- (B) Court-Designated Cases. The procedures in this subrule apply if the prosecuting attorney submits a petition charging an offense other than a specified juvenile violation and requests the court to designate the case for trial in the same manner as an adult.
 - (1) [Unchanged.]
 - (2) Procedure.
 - (a) - (b) [Unchanged.]
 - (c) Unless the arraignment is adjourned, the court must decide whether to authorize the petition to be filed. If it authorizes the filing of the petition, the court must:
 - (i) [Unchanged.]
 - (ii) schedule a designation hearing within 14 days before a judge other than the judge who would conduct the trial;
 - (iii) [Unchanged.]

(d) [Unchanged.]

(3) [Unchanged.]

Staff Comment: The December 17, 2003, amendment of MCR 3.951(B)(2)(c) corrected an inadvertent error in the rule as adopted effective May 1, 2003. The amendment returned the provision to the substance of former MCR 5.951, allowing referees to conduct designation hearings under MCR 3.951(B).

The staff comment is not an authoritative construction by the Court.



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 17, 2003

Corbin R. Davis

Clerk